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Third-Party Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

REZA MOTAMENI, an individual,

Plaintiff,

v.

MELISSA ADAMS, an individual formerly
known as Melissa Motameni,

Defendant,

and

MOTO-BIZ, INC., an Oregon corporation,

Nominal Defendant.

Case No. 3:21-cv-01184-HZ

**STIPULATED MOTION TO EXTEND
DISCOVERY AND PRETRIAL
DEADLINES**

MELISSA ADAMS, individually and derivatively on behalf of MOTO-BIZ, INC., an Oregon corporation, MOJO-BIZ, LLC, an Oregon limited liability company, NOOR, LLC, an Oregon limited liability company, and LUCKY STRIKE, LLC, an Oregon limited liability company,

Counterclaimants and
Third-Party Plaintiffs,

v.

RAY MOTAMENI, an individual,
KIMBERLY JOHNSON, an individual, and
R AND K VANCOUVER INVESTMENTS,
LLC, an Oregon limited liability company,

Counterclaim Defendants and
Third-Party Defendants.

I. LR 7-1(a) CERTIFICATION

Counsel for defendant, counterclaimants and third-party plaintiffs Melissa Adams, individually and derivatively on behalf of Moto-Biz, Inc., Mojo Biz, LLC, Noor LLC, and Lucky Strike, LLC (collectively “Adams”) certifies that before filing this unopposed motion she conferred in good faith with plaintiff/third party defendant Reza Motameni (“Motameni”) and third-party defendants Kimberly Johnson and R and K Vancouver Investments, LLC (collectively, “Third Party Defendants”) regarding the issues raised in this motion. All parties stipulate to the relief sought herein.

II. MOTION

Pursuant to Fed. R. Civ. P. 16 and LR 16-3(a), the parties move the Court for an order extending the discovery and pretrial deadlines previously set in this case. (*See* ECF No. 61).

This matter was filed on April 20, 2021, in Multnomah County Circuit Court and was removed to this Court on August 11, 2021. Following a telephone conference with the parties on September 8, 2022, the Court issued a Minute Order on September 8, 2022, setting the current case schedule. (ECF No. 61.)

Good cause exists to extend the deadlines set by the Court on September 8, 2022. Since the Court's last scheduling order, Third Party Defendants answered Adams' Third Party Complaint (ECF No. 63, September 23, 2022), as did Motameni (ECF No. 66, October 3, 2022).

Additionally, the parties have diligently pursued discovery and have taken other steps to advance their claims. However, these efforts have not been without complications. For instance, as the Court may recall, the Court held a telephone conference on September 29, 2022, to discuss various discovery disputes existing among the parties. (ECF No. 65.)

While the Court's guidance provided assistance to the parties, the same disputes are still being addressed and other, new disputes have arisen. Based on recent conferrals, it appears likely that additional guidance from the Court will be necessary before discovery will be complete. Furthermore, the parties' depositions have not yet occurred and scheduling during the final weeks of the year is challenging given the holidays, the parties' schedules, and counsel obligations. Although the parties have discussed deposition dates and protocol, the parties seek to have the depositions occur in the new year based on those discussions.

The parties therefore request an extension of the following deadlines and propose the tentative schedule below, subject to the Court's availability and approval:

Event	Current Deadline	New Deadline
Deadline to Complete Discovery	December 30, 2022	April 28, 2023
Deadline to File Dispositive Motions	March 1, 2023	June 30, 2023
Oral Argument on Dispositive Motions	May 15, 2023	September 1, 2023
ADR Report Deadline	30 days after the Court rules on dispositive motions	30 days after the Court rules on dispositive motions
Initial Expert Disclosure Deadline	Deferred until after ruling on dispositive motions	Deferred until after ruling on dispositive motions

Event	Current Deadline	New Deadline
Pretrial Order	30 days following a ruling on dispositive motions	Deferred until after ruling on dispositive motions
Trial (5-7 days)	September 11, 2023	November 2023 or Early 2024, per the Court's availability

This motion is not intended for the purpose of delay and no party will be prejudiced by the granting of this motion, and the parties stipulate to the above proposed schedule.

DATED: December 8, 2022

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By: /s/ Janet K. Larsen

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DATED: December 8, 2022

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DATED: December 8, 2022

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